IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 10849 of 2005

Between:

Ponnala Ravinder, s/o Yellaiah,
Neredpally Gram Panchayat, Bhupalpally Mandal, Warangal District.

..... PETITIONER

AND

1 Government of Andhra Pradesh rep., by Principal

Secretary to Government, Panchayat Raj

Department, Secretariat, Hyderabad.
2 The District Collector, Panchayat Raj Wing,

Warangal, Warangal District.
3 The District Panchayat Officer, Warangal, Warangal

District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus declaring the order

dated 23-04-2005 in G.O.Rt.No.696 passed by the 1st respondent and also the order dated11-01-2005 in Proceedings No:5672/A2/2004 passed by the 2nd respondent as illegal, arbitrary and contrary to the principles of natural justice and to pass such other necessary order or orders as this Honourable Court deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.A.PRABHAKAR RAO

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

O R D E R

Petitioner is the Sarpach of Neredpally Gram Panchayat. He was

kept under suspension with effect from 11.01.2005 through the proceedings of the Collector, Panchayat Wing, Warangal dated 11.1.2005. The period of suspension according to the petitioner shall not exceed three months as per Section 249(6) of Panchayat Raj Act, 1994 (for short 'the Act').

2 . The learned Government Pleader representing the respondents submitted that no orders have been passed extending the period of suspension.

3. As per the provisions of the Act, the period of suspension shall not be for more than three months. Therefore, the period of suspension expired on 10.4.2005. It is, therefore, declared that the petitioner is entitled to discharge the duties of the Sarpanch. However, this order will not preclude the Collector to pass appropriate orders pending enquiry, if any, against the petitioner.

4. The writ petition is accordingly disposed of. No costs.

AVS/STP ----------

10.05.2005

…….REGISTRAR

// TRUE COPY //

SECTION OFFICER.

TO.

1 Government of Andhra Pradesh rep., by Principal

Secretary to Government, Panchayat Raj

Department, Secretariat, Hyderabad.

2 The District Collector, Panchayat Raj Wing,

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3 The District Panchayat Officer, Warangal, Warangal

District.

4. **2 CCs to GP FOR PANCHAYAT RAJ & RURAL DEV. A.P. High Court Building (OUT).**

5. **2 CD COPIES.**